W.P. No. 550 (MB) of 2003
Hon'ble Irshand Hussain J.
Hon. M.M. Ghildiyal, J.

Heard Sri Rajeev Sharma learned counsel for the petitioner and the learned Chief Standing Counsel. The petitionr has taken loan from the Land Development Bank, kashipur, District Udham Singh Nagar for cultivation of papaya crops. The petitioner is a small farmer and he could not repay the loan in time. Thereupon recovery proceedings were initiated against him for recovery of the loan amount. Learned counsel for the petitioner says that papaya crops were badly hit due to bad weather condition due to which the petitioner could not repay the loan. he prays easy instalments for repayment of the loan amount.

Considering the hardship of the petitioner it will be just and proper that the petitioner would pay the loan amount due in four equal instalments. The amount due is said to be less than one lakh. In view the recovery proceedings were initiated against the petitioner by the respondents, collection charges shall also be borne by the petitioner.

The first instalment shall be paid by the petitioner within a period of one month and thereafter three instalments will be paid on the expiry of every three months. In default of payment of a single instalment, the respondents will be entitled to recover the amount due in lump sum.

The petition is finally disposed of accordingly.

(M.M. Ghildiyal, J.) (Irshad Hussain, J.)

23.06.2003
Dhyani